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10 Attorneys for Plaintiff  
11 STATIC CONTROL COMPONENTS, INC.

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 STATIC CONTROL COMPONENTS, INC., : Case No.: 8:17-cv-1221  
15 :  
16 Plaintiff, :  
17 :  
18 v. :  
19 ASTER GRAPHICS, INC., :  
20 Defendant. :  
21 :  
22

**COMPLAINT FOR PATENT  
INFRINGEMENT**

DEMAND FOR JURY TRIAL

23 Plaintiff Static Control Components, Inc. (“SCC”), for its Complaint against Aster  
24 Graphics, Inc. (“Aster”), alleges as follows:

25 **NATURE OF THE ACTION**

26 1. This is an action arising under the patent laws of the United States, codified  
27 at 35 U.S.C. §§ 1, *et seq.* for infringement of U.S. Patent Nos. 9,599,949 (“the ’949

1 patent") and 9,671,742 ("the '742 patent") through Aster's importation, offer for sale, and  
2 sale of certain aftermarket printer cartridges.

3 **PARTIES**

4 2. SCC is a North Carolina corporation and has its principal place of business  
5 in Sanford, North Carolina. Among other things SCC sells aftermarket printer cartridges,  
6 supplies, and components.

7 3. Aster is a California corporation and has its principal place of business at  
8 540 S. Melrose Street, Placentia, California 92870.

9 **JURISDICTION AND VENUE**

10 4. This civil action arises under the patent laws of the United States, 35 U.S.C.  
11 §§ 1, *et seq.* And this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331  
12 and 1338(a).

13 5. This Court has personal jurisdiction over Aster pursuant to the laws of the  
14 State of California, because Aster is a California corporation with its principal place of  
15 business in Placentia, California, because Aster has committed and continues to commit  
16 acts of patent infringement in this jurisdiction, and because Aster has filed suit for  
17 declaratory judgment of noninfringement as to the '949 and '742 patents in this District  
18 (Case No. 8:17-cv-01167).

19 6. Venue is proper in this Court pursuant to 28 U.S.C. § 1400 because Aster  
20 has committed acts of infringement in this district and has its principal place of business  
21 in Placentia, California.

22 **BACKGROUND**

23 7. Plaintiff SCC was started in the Sanford, North Carolina garage of founder  
24 Ed Swartz. SCC has made and continues to make substantial investments in research and  
25 development as well as domestic manufacturing and customer support. As a result of  
26 those investments, SCC is today the world's largest manufacturer and global distributor  
27 of parts and supplies supporting the laser toner remanufacturing industry. SCC has won  
28 numerous awards, including the NCN Imaging Solutions "Most Trusted Company"

1 award (2012-2017); The Recycler Awards “Customer Service of the Year” award for  
2 2017; The Recycler Awards “Supplier of the Year” award for 2016; and the BUSINESS-  
3 INFORM EXPO “Focus on Quality Award” for 2016 and 2017.

4       8.     Defendant Aster Graphics, Inc. is the United States subsidiary of a Chinese  
5 company that was formed by former employees of Zhuhei Seine Technology Co., Ltd.,  
6 who owns the majority interest in SCC's parent company.   Aster's business model  
7 involves selling low-cost versions of SCC's high-quality products.

8        9. On June 29, 2017, SCC wrote to Aster to put it on notice of its infringement  
9 of the '949 and '742 patents and to demand that Aster immediately cease its infringing  
10 activity. Among other things, that letter attached a list of infringing products (specified  
11 by product number) and provided copies of the patents. A true and correct copy of that  
12 letter (minus the attached patents) is attached hereto as Exhibit 1.

## **THE ASSERTED PATENTS**

14        10. United States Patent No. 9,599,949, entitled Photosensitive Process  
15 Cartridge With Driving Force Receiver, was duly and legally issued on March 21, 2017,  
16 and names Weidong Gu, Geming Ding, Yonghong Li, Zhiyong Li, Jianxin Cao, Xiong  
17 Li, and Xiaobing Liu as the inventors. Attached as Exhibit 2 is a true and correct copy of  
18 the '949 patent.

19        11. SCC is the assignee of the entire right, title, and interest in the '949 patent.  
20 Attached as Exhibit 3 is a true and correct copy of the assignment as it was filed with the  
21 United States Patent and Trademark Office.

22        12. United States Patent Number 9,671,742, entitled Process Cartridge Having  
23           A Control Mechanism For A Driving Mechanism, was duly and legally issued on June 6,  
24           2017, and names Weidong Gu, Geming Ding, Yonghong Li, Zhiyong Li, Jianxin Cao,  
25           Xiong Li, and Xiaobing Liu as the inventors. Attached as Exhibit 4 is a true and correct  
26           copy of the '742 patent.

1        13. SCC is the assignee of the entire right, title, and interest in the '742 patent.  
2 Attached as Exhibit 3 is a true and correct copy of the assignment as it was filed with the  
3 United States Patent and Trademark Office.

**COUNT I**

**(PATENT INFRINGEMENT OF U.S. PAT. NO. 9,599,949)**

6        14. SCC incorporates each of the preceding paragraphs as if fully set forth  
7 herein.

8        15. Aster has directly infringed and is directly infringing at least Claim 1 of the  
9 '949 patent by making, using, selling, offering for sale, and importing the AM-  
10 H0255AU, AM-H0255XU, AM-H0280AU, AM-H0280XU, AM-H0280XJU, AM-  
11 H0505A, AM-H0505AJ, AM-H0505X/XC<sup>1</sup>, AM-H0505XJ, AP-HF226A, AM-C0119A,  
12 and AM-C0119X process cartridges (collectively referred to hereinafter as "Accused  
13 Products"). Charts showing how each of the Accused Products satisfies the limitations of  
14 Claim 1 either literally and/or under the doctrine of equivalents are attached hereto as  
15 Exhibits 6 through 17, which charts are hereby incorporated by reference.

16        16. Since at least June 29, 2017 when SCC sent Aster a letter identifying the  
17 '949 patent and Aster's infringement thereof, Aster has had knowledge of the '949 patent  
18 and of its infringement thereof. Despite this knowledge, Aster has continued to infringe  
19 at least Claim 1 of the '949 patent by making, using, selling, offering for sale, and  
20 importing the Accused Products. Because the '949 patent claims a physical structure that  
21 the Accused Products contain when they are made, used, offered for sale, sold, and  
22 imported, the Accused Products have no substantial non-infringing use and Aster has

<sup>1</sup> Prior to the filing of this Complaint, SCC ordered samples of the Accused Products. SCC placed an order for the AM-H0505X, but received the AM-H0505XC. The package is labeled “AM-H0505XC” and states that it is “FOR USE IN: HE-CE505X,” but the cartridge inside the box is labeled “H505X black.” Exhibit 5. Aster thus appears to consider the AM-H0505X and AM-H0505XC products as interchangeable, and SCC has attached claim charts for the AM-H0505XC. Exhibits 15, 27 [charts for 505XC].

1 therefore been contributing to the infringement of at least Claim 1 of the '949 patent by  
2 Aster's customers since at least June 29, 2017.

3        17. As a result of its infringement of the '949 patent, Aster has injured SCC  
4 (including by depriving SCC of sales that otherwise would have gone to SCC) and is  
5 therefore liable to SCC for infringement pursuant to 35 U.S.C. § 271. SCC is therefore  
6 entitled to monetary damages sufficient to compensate it for its injuries, but in no event  
7 less than a reasonable royalty for Aster's use of the invention together with interests and  
8 costs as fixed by the Court.

## COUNT II

**(PATENT INFRINGEMENT OF U.S. PAT. NO. 9,671,742)**

11       18. Aster has directly infringed and is directly infringing at least Claim 1 of the  
12 '742 patent by making, using, selling, offering for sale, and importing the Accused  
13 Products. Charts showing how each of the Accused Products satisfies the limitations of  
14 Claim 1 of the '742 patent either literally and/or under the doctrine of equivalents are  
15 attached hereto as Exhibits 18 through 29, which charts are hereby incorporated by  
16 reference.

17        19. Since at least June 29, 2017 when SCC sent Aster a letter identifying the  
18        '742 patent and Aster's infringement thereof, Aster has had knowledge of the '742 patent  
19        and of its infringement thereof. Despite this knowledge, Aster has continued to infringe  
20        at least Claim 1 of the '742 patent by making, using, selling, offering for sale, and  
21        importing the Accused Products. Because the '742 patent claims a physical structure that  
22        the Accused Products contain when they are made, used, offered for sale, sold, and  
23        imported, the Accused Products have no substantial non-infringing use and Aster has  
24        therefore been contributing to the infringement of at least Claim 1 of the '742 patent by  
25        Aster's customers since at least June 29, 2017.

26        20. As a result of its infringement of the '742 patent, Aster has injured SCC  
27 (including by depriving SCC of sales that otherwise would have gone to SCC) and is  
28 therefore liable to SCC for infringement pursuant to 35 U.S.C. § 271. SCC is therefore

1 entitled to monetary damages sufficient to compensate it for its injuries, but in no event  
2 less than a reasonable royalty for Aster's use of the invention together with interests and  
3 costs as fixed by the Court.

4 **REQUEST FOR RELIEF**

5 Wherefore, SCC requests the following relief:

6 (a) Judgment that Aster infringes one or more claims of the '949 and '742  
7 patents due to its past and present commercial manufacture, use, offer for sale, sale,  
8 and/or importation of aftermarket printer cartridges;

9 (b) An injunction enjoining Aster, and all persons acting in concert with it, from  
10 making, using, selling, offering for sale, or importing the infringing aftermarket printer  
11 cartridges;

12 (c) Judgment awarding SCC damages resulting from such infringement,  
13 increased to treble the amount found or assessed together with interest pursuant to 35  
14 U.S.C. § 284;

15 (d) A declaration that this is an exceptional case and an award of attorneys' fees  
16 pursuant to 35 U.S.C. § 285;

17 (e) An award of SCC's costs and expenses in this action; and

18 (f) Such further and other relief as this Court may deem just and proper.

19 **JURY DEMAND**

20 Plaintiff demands trial by jury on all issues so triable.

22 Respectfully submitted,

23 DATED: July 17, 2017

DURIE TANGRI LLP

25 By: /s/ Mark A. Lemley  
26 Mark A. Lemley

27 Attorney for Plaintiff  
28 Static Control Components, Inc.